

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

FILED

May 14 2018

Clerk, U.S. District Court  
Western District of TexasBy: 

Deputy

USA

vs.

(1) DENIS HERNANDEZ-ENRIQUEZ

§  
 § CRIMINAL COMPLAINT  
 § CASE NUMBER: EP:18-M -03271(1) RFC  
 §  
 §

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 12, 2018 in Hudspeth county, in the WESTERN DISTRICT OF TEXAS defendant did, being an alien to the United States, enter, attempt to enter, and was found in the United States after having been previously excluded, deported, and removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: "

*The DEFENDANT, Denis HERNANDEZ-Enriquez, an alien to the United States and a citizen of Mexico was found in the United States on May 12, 2018, near Sierra Blanca, Texas in the Western District of Texas. From statements made by the "*

Continued on the attached sheet and made a part of hereof.

Sworn to before me and subscribed in my presence,



Signature of Complainant  
 Avalos, Joseph D.  
 Border Patrol Agent

May 14, 2018  
 File Date

at EL PASO, Texas  
 City and State

ROBERT F. CASTANEDA  
 UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT - EP:18-M -03271(1)

**WESTERN DISTRICT OF TEXAS****(1) DENIS HERNANDEZ-ENRIQUEZ****FACTS (CONTINUED)**

DEFENDANT to the arresting agent, the DEFENDANT was determined to be a native and citizen of Mexico, without immigration documents allowing him to be or remain in the United States legally. The DEFENDANT has been previously removed from the United States to Mexico on March 21, 2015, through El Paso, Texas. The DEFENDANT has not received permission from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

On May 12, 2018, United States Border Patrol Agent Michael Brown was assigned line watch duties from his duty station in Sierra Blanca, Texas. Agent Brown was working in his area of responsibility near the Rusty Wilbanks ranch area, which is located approximately 7 miles southeast of Sierra Blanca, Texas. The agent came across footprints of several individuals. Agent Brown advised other Border Patrol Agents working in the area of the footprint description. Border Patrol Agent Matthew Miller drove north of Agent Brown's location and encountered the same footprints heading north toward the Interstate 10 Highway (I-10). Border Patrol Agents Brown and Alejandro Alvirde continued to track the footprints for approximately 4.5 miles. At that moment, Agent Alvirde observed multiple individuals, including the DEFENDANT Denis HERNANDEZ-Enriquez, hiding in the brush. A total of nine individuals were apprehended approximately 100 yards south of I-10 near mile marker 112. This location is 3 miles east of Sierra Blanca, Texas in the Western District of Texas. When the agents approached the individuals, they identified themselves as United States Border Patrol Agents and questioned the individuals as to their citizenship. The DEFENDANT freely and willingly stated that he was a citizen of Mexico illegally present in the United States. When questioned, the DEFENDANT stated that he did not have any immigration documentation that would allow him to be in, travel through or remain in the United States legally. The nine individuals, including the DEFENDANT, were placed under arrest for illegal entry and transported to the Sierra Blanca Border Patrol Checkpoint for processing. The DEFENDANT'S fingerprints and photo were enrolled in the E3/IDENT/NGI database yielding prior immigration history and no criminal history. The DEFENDANT was advised of his rights utilizing CBP Form I-214 (Warning as to Rights). The DEFENDANT acknowledged understanding his rights by signing form I-214 and stated that he was willing to answer questions without a lawyer present. In a sworn affidavit, the DEFENDANT admitted that he was illegally present in the United States and to previously being removed from the United States.

**IMMIGRATION HISTORY:**

The DEFENDANT has been deported 1 time(s), the last one being to MEXICO on March 21, 2015, through EL PASO, TX.

**CRIMINAL HISTORY:**

**NONE**